

States and upheld by the Supreme Court would disappear under Democrats' legislation. The bill would also prevent States from restricting any particular method of abortion, no matter how barbaric the method, and the bill would make it essentially impossible to impose any meaningful restrictions at all on abortion in any stage of pregnancy, including after the point of fetal viability, when the baby can survive outside its mother.

The bill would also jeopardize doctors' and nurses' right to refuse to participate in abortions and specifically prevent them from having recourse under the Religious Freedom Restoration Act to protect their conscience rights. It would put measures in place to ensure that any State pro-life law would face an uphill climb in the courtroom. In short, this legislation would make abortion on demand at any time, for essentially any reason, the law of the land in the United States.

I hope—I really do hope—that during debate on this measure the Democrats are not going to pretend that their proposed abortion law somehow represents the prevailing sentiment of the country—because it doesn't. The vast majority of Americans believe that there should be at least some restrictions on abortion.

Gallup has been polling on abortion for decades, and in all that time, the percentage of Americans who believe abortion should be legal under any circumstances has always remained under 35 percent. In fact, for most of the past several decades that number has remained squarely under 30 percent.

A strong majority of Americans support at least some restrictions on abortion. Furthermore, the Associated Press poll from this June found that 65 percent of Americans believe that abortion should generally be illegal in the second trimester, or from about 13 weeks of pregnancy, while a whopping 80 percent—80 percent—of Americans believe that abortion should generally be illegal in the third trimester.

And it is not surprising. Americans aren't dumb. And thanks to ultrasounds and scientific advances and plain old common sense, they know just how ridiculous it is to claim that unborn children are just blobs of tissue. Most people are well aware that an unborn baby with its own heartbeat and fingers and toes and DNA is, in fact, not a blob of tissue but a human being.

And most people believe that human beings deserve to be protected, even when they are small and weak and vulnerable—especially when they are small and weak and vulnerable. And so it doesn't surprise me in the least that 80 percent of the American people think abortion should generally be illegal in the third trimester, because I can't imagine anyone being comfortable with the idea of killing a baby who is not only, like any unborn baby, a human being worthy of protection, but who is actually old enough to survive outside of his or her mother.

And so, as I said, I really, really hope the Democrats are not going to pretend that they are representing the American people with this appalling legislation. They are not representing the American people. They are representing the radical abortion lobby, and the radical abortion lobby is terrified that, as it well knows, it does not have the majority of the American people on its side. And so it is relying on its Democrat allies to push for perhaps the most radical pro-abortion legislation ever considered.

The American people are better than this, and I would hope that the Democratic Party would be better than this. The Democratic Party has historically portrayed itself as the defender of the little guy. It is unfortunate that that doesn't extend to the littlest guys and girls among us: the unborn babies in danger of dying from abortion.

There are hundreds of thousands of abortions in the United States every year. That is hundreds of thousands of innocent human lives lost. Do we really need to remove even the most modest restrictions on abortion?

While, unfortunately, the vast majority of the Democratic Party is in the pocket of the radical abortion lobby, I hope that there are at least some—some House Democrats—out there who aren't comfortable with this bill in the Democratic Party's extreme abortion politics.

And I hope that these Democrats will stand up and oppose their party's abortion-on-demand legislation. This anti-life legislation is an abomination, and it should never, never make it out of the House of Representatives.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. REED). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 169, Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury.

Charles E. Schumer, Ron Wyden, Martin Heinrich, Alex Padilla, Margaret Wood Hassan, Raphael Warnock, Ben Ray Lujan, Gary C. Peters, Elizabeth Warren, Christopher Murphy, Patrick J. Leahy, Tammy Duckworth, Sheldon Whitehouse, Michael F. Bennet, Tim Kaine, Tammy Baldwin, Cory A. Booker.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 370 Leg.]

#### YEAS—63

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Romney
Blunt	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Cassidy	Manchin	Stabenow
Collins	Markey	Tester
Coons	McConnell	Tillis
Cornyn	Menendez	Toomey
Cortez Masto	Merkley	Van Hollen
Crapo	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden
Grassley	Peters	Young

#### NAYS—35

Barrasso	Hagerty	Paul
Blackburn	Hawley	Risch
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cotton	Kennedy	Shelby
Cramer	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Lummis	Tuberville
Ernst	Marshall	Wicker
Fischer	Moran	

#### NOT VOTING—2

Feinstein Rounds

The PRESIDING OFFICER (Ms. SMITH). On this vote, the yeas are 63, the nays are 35.

The motion is agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 245, Jayme Ray White, of Washington, to be a Deputy United States Trade Representative (Western Hemisphere, Europe, the Middle East, Labor, and Environment), with the rank of Ambassador.